

EXHIBIT 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

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| IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION | MDL No. 2:18-mn-2873-RMG JOINT STATUS REPORT FOR March 25, 2022 STATUS CONFERENCE This Document relates to ALL CASES |
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Pursuant to this Court’s Case Management Order No. 2, Co-Lead Counsel for Plaintiffs and Defendants provide this joint status report in advance of the telephonic status conference scheduled for March 25, 2022.

1. Update and developments in litigation progress since February 17, 2022 Joint Status Report:

- a. Defendant and third-party overall document productions: 4,036,341 million documents and nearly 33 million pages.
- b. Depositions:
 - i. Taken since February 17, 2022: 10 (total depositions 132).
 - ii. Scheduled to be taken: at present, none.
- c. Bellwether Report: The fact discovery period in the three Tier 2 Water Provider Cases ended on February 21, 2022. The cases are now progressing to expert reports and expert discovery.

2. Recently arising potential disputes between the parties:

- a. The DCC has submitted its briefing on the Government Contractor Defense as set forth by CMO 16B. (*See* ECF No. 1965). The PEC submitted its opposition. (*See* ECF No. 2063). The DCC submitted its reply on January 28, 2022 pursuant to CMO 19-C. (*See* ECF No. 2141). The Court has scheduled oral argument for March 25, 2022.
- b. The PEC’s motion to compel the production of the custodial file and certain documents from relevant witness Lewis Lehr, Defendant 3M’s response, and the PEC’s Reply. (*See* ECF Nos. 2174, 2214, 2232).

- B. Expert Discovery** - The PEC intends to serve its expert reports on March 18, 2022, following a one-day extension, that the DCC consented to and that the Court permitted. The parties will discuss any equivalent extension to the subsequent expert deadlines as may be necessary. The parties have agreed that each side will produce within two business days of serving expert reports all facts or data considered by the witness in forming all opinions the expert will advance, in accordance with Rule 26(a)(2)(B)(ii), other than such materials that have already been produced or are publicly available. The PEC has taken the position that they will not produce data files in native format (e.g., Excel or a database flat file). The DCC disagrees with the PEC's position. The DCC intends to review the PEC's expert reports and productions and will bring any issues to the Court's attention promptly. The PEC suggested that the DCC review the expert reports and materials being provided, and is glad to see the DCC agreed to this approach.

2. Future Bellwether Cases: On Friday, March 11, 2022, the PEC proposed to the DCC a bellwether process for further categories of cases, including personal injury cases, class actions, state/sovereign cases, and property damage cases. The DCC is reviewing the proposal and will confer with the PEC.

D. Re-Application for DCC Members

The Defense leadership will submit proposed renewals, changes, and additions to the appointments to the DCC on or before March 18, 2022.

E. CMO 12 Compliance

The parties are reminded of the entry of CMO 12. This CMO provides among other things, tolling protections for Plaintiffs as to certain Defendants and in exchange those Defendants should not be named as Defendants in future lawsuits in this MDL. In addition, those Defendants should be dismissed (without prejudice – subject to CMO 12) from existing lawsuits in this MDL.

Dated: March 18, 2022

Respectfully submitted,

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